

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

EASTON STEVENS, etc., et al.,

Plaintiffs

- v -

HMSHOST CORPORATION, et al.,

Defendants.

**MEMORANDUM AND ORDER**

CV-10-3571 (ILG)(VP)

The parties have submitted a Joint Proposed Stipulation and Protective Order Regarding the Exchange of Confidential and Proprietary Information for signature by the court. The court declines to enter the proposed order because it gives virtually unlimited discretion to counsel and the parties to designate documents and other information to be subject to the order without making a showing of good cause as required by Rule 26(c) of the Federal Rules of Civil Procedure. This ruling is without prejudice to the submission of an order which describes with specificity the documents that are to be subject to the order. Unless it is readily apparent from the description of the documents and other information covered by the order (e.g., trade secrets, personnel files, social security numbers and other identification information), the submission must be accompanied by a showing of good cause why the matters subject to the order should be maintained in confidence. For example, it is not readily apparent to the court why various examples of materials now in the proposed order, such as handbooks and training materials, require confidential treatment. The showing must explain with particularity how disclosure of information to be protected would cause a person or party "annoyance, embarrassment, oppression, or undue burden or expense." Fed. R. Civ. P. 26(c)(1).

**SO ORDERED:**

Viktor V. Pohorelsky

VIKTOR V. POHORELSKY  
United States Magistrate Judge

Dated: Brooklyn, New York  
November 30, 2010